

REMARKS

Claims 1-14 are currently pending in the present application. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Hasegawa et al. (U.S. Patent No. 6,928,261) in view of Nishimoto et al. (U.S. Patent Publication No. 2002/0000156) and in further view of Dewing et al. (U.S. Patent Publication No. 2004/0068532). This rejection is respectfully traversed.

Applicants hereby provide a statement of common ownership of the present application and Hasegawa:

The present application (application no. 10/665,043) and Hasagawa et al. (U.S. Patent No. 6,928,261) were, at the time of the invention of the present application was made, owned by the common assignee of Yamaha Corporation, Japan.

Accordingly, under 35 U.S.C. § 103(c), Hasagawa is not prior art to the present application under 35 U.S.C. § 102(a), and the Examiner's rejection is therefore overcome.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no.

393032040800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 19, 2010

Respectfully submitted,

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